

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

WILLIAM AGUILERA,)	CIVIL NO. 1:21-cv-00819-BAK-GSA
Plaintiff,)	
v.)	STIPULATION TO VOLUNTARY
KILOLO KIJAKAZI,)	REMAND PURSUANT TO SENTENCE
Acting Commissioner of Social Security,)	FOUR OF 42 U.S.C. § 405(g) AND TO
Defendant.)	ENTRY OF JUDGMENT; ORDER

IT IS STIPULATED by and between Plaintiff ("Plaintiff") and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security ("Defendant"), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand from the Court, SSA's Appeals Council will direct the Administrative Law Judge (ALJ) to further develop the record, offer the claimant the opportunity for a new hearing, and issue a new decision. The ALJ will obtain supplemental vocational expert testimony and, in accordance with Social Security Ruling 00-4p (2000), make a new Step 5 finding. The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

Respectfully submitted this 26th day of May 2022.

Dated: May 26, 2022

*/s/ Jonathan O. Pena

Jonathan O. Pena

Attorney for Plaintiff

*Authorized via e-mail on May 26, 2022

1 Dated: May 26, 2022

PHILIP A. TALBERT
United States Attorney
WILLY M. LE
Acting Regional Chief Counsel, Region VI
Social Security Administration

5 By: /s/ Kendall Rees
KENDALL REES
Special Assistant United States Attorney

Attorneys for Defendant

8 **ORDER**

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10 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42
11 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, **IT**
12 **IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social
13 Security for further proceedings consistent with the terms of the Stipulation to Remand. The
14 Clerk of the Court is directed to enter a final judgment in favor of Plaintiff, and against
15 Defendant, reversing the final decision of the Commissioner.

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17 IT IS SO ORDERED.

18 Dated: May 26, 2022

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE